United Nations A/56/PV.109

General Assembly
Fifty-sixth session

Official Records

109th plenary meeting
Tuesday, 23 July 2002, 3 p.m.
New York

President: Mr. Han Seung-soo ..... (Republic of Korea)

In the absence of the President, Mr. Loizaga (Paraguay), Vice-President, took the Chair.

The meeting was called to order at 3.05 p.m.

Agenda item 17 (*continued*)

Appointments to fill vacancies in subsidiary organs and other appointments

(i) Approval of the appointment of the United Nations High Commissioner for Human Rights

Note by the Secretary-General (A/56/109)

The Acting President (*spoke in Spanish*): By its resolution 48/141 of 20 December 1993, the General Assembly decided to create the post of United Nations High Commissioner for Human Rights.

The Secretary-General proposes, in the light of the provisions of resolution 48/141 set out in his note, to appoint Mr. Sergio Vieira de Mello of Brazil as United Nations High Commissioner for Human Rights for a term of office of four years beginning on 12 September 2002 and ending on 11 September 2006.

May I take it that it is the wish of the General Assembly to approve the proposal of the Secretary-General contained in document A/56/109?

It was so decided.

The Acting President (*spoke in Spanish*): By acclamation of the General Assembly, the proposal of the Secretary-General to appoint Mr. Sergio Vieira de Mello as United Nations High Commissioner for Human Rights has been approved.

I now give the floor to the representative of Brazil.

Mr. Moura (Brazil): The appointment of Mr. Sergio Vieira de Mello as High Commissioner for Human Rights augurs well for the continuation of the outstanding work of the United Nations in the promotion and protection of human rights. For Brazil, it is an honour and a source of great satisfaction that one of its nationals should be assigned such an important responsibility.

Sergio Vieira de Mello needs no introduction. His important achievements in East Timor and at the helm of the United Nations Office for the Coordination of Humanitarian Affairs are only the latest examples of a long career devoted to the realization of the values enshrined in the United Nations Charter. Mr. Vieira de Mello is rightly recognized as an efficient administrator, a skilful negotiator and a committed individual. He is also known for his high moral stature and for being identified with humanitarian causes. There is no doubt that he will put all those qualities at the service of the promotion and protection of human rights and fundamental freedoms, including the right to development.

We wish Mr. Sergio Vieira de Mello every success in his new position, and we assure him of Brazil's support and cooperation in the discharge of his important mandate.

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My delegation would also like to express its deep appreciation for the invaluable work that Mrs. Mary Robinson has done as High Commissioner for Human Rights. During her five years in office, Mrs. Robinson contributed to heightening the level of attention paid to the plight of victims of abuses and human rights violations.

The Acting President (*spoke in Spanish*): I now give the floor to the representative of Denmark, who will speak on behalf of the European Union.

Ms. Løj (Denmark): I have the honour to speak on behalf of the European Union with respect to the approval of the appointment of the United Nations High Commissioner for Human Rights. The Central and Eastern European countries associated with the European Union – Bulgaria, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia, Slovenia and Turkey – the associated countries Cyprus and Malta, and the European Free Trade Association country belonging to the European Economic Area Iceland, align themselves with this statement.

The European Union warmly welcomes the appointment of Mr. Sergio Vieira de Mello to succeed Mrs. Mary Robinson as High Commissioner for Human Rights. Mr. Vieira de Mello has an impressive record as an outstanding United Nations diplomat. He has demonstrated a deep and genuine commitment to human rights. The European Union is confident that the worldwide promotion and protection of human rights will be further advanced under his able leadership.

Ensuring respect for human rights in cooperation with other global and regional human rights mechanisms is indeed a challenging task. Let me ensure the Assembly that Mr. Vieira de Mello has the full support of the European Union in that endeavour.

At this juncture, allow me also to pay tribute to the outgoing High Commissioner, Mrs. Robinson. During her five years in office impressive results have been obtained. The personal and professional integrity, combined with hard work, with which Mrs. Robinson has constantly fought for human rights all over the world is a model for all of us. We wish her all the best in the future, and we sincerely hope to be able to continue to benefit from her experience and her many talents in the future.

Mr. Siv (United States of America): On behalf of the United States, I would like to offer our sincere congratulations to Sergio Vieira de Mello on his selection by the Secretary-General to be the next United Nations High Commissioner for Human Rights. We look forward to working closely with him and with the High Commissioner's Office.

The Acting President (*spoke in Spanish*): May I take it that it is the wish of the General Assembly to conclude its consideration of sub-item (i) of agenda item 17?

It was so decided.

Agenda item 8 (*continued*)

Adoption of the agenda and organization of work

Note by the Secretary-General (A/56/111)

The Acting President (*spoke in Spanish*): Members will recall that at its 3rd plenary meeting, held on 19 September 2001, the General Assembly decided to allocate agenda item 102 to the Second Committee. Members will also recall that the item remains open for consideration during the fifty-sixth session.

As mentioned in the footnote to document A/56/111, in order for the General Assembly to take the required action, the Assembly will have to decide to consider the item directly in plenary meeting.

May I take it that the Assembly wishes to consider agenda item 102 directly in plenary meeting?

It was so decided.

The Acting President (*spoke in Spanish*): May I further take it that the Assembly agrees to proceed immediately to the consideration of agenda item 102?

It was so decided.

Agenda item 102 (*continued*)

Implementation of the Habitat Agenda and outcome of the special session of the General Assembly on this topic

Election of the Executive Director of the United Nations Settlements Programme (UN-Habitat)

Note by the Secretary-General (A/56/111)

The Acting President (*spoke in Spanish*): In his note, the Secretary-General recalls for members that, in

its resolution 56/206 of 21 December 2001, the General Assembly decided to transform the United Nations Centre for Human Settlements into the United Nations Human Settlements Programme (UN-Habitat).

The Assembly also decided, in the same resolution, that the UN-Habitat secretariat should be headed by an Executive Director at the level of Under-Secretary-General, to be elected by the General Assembly for a term of four years upon nomination by the Secretary-General after consultation with Member States.

In the light of the provisions of General Assembly resolution 56/206, the Secretary-General nominates Ms. Anna Kajumulo Tibaijuka of the United Republic of Tanzania for election by the General Assembly as Executive Director of UN-Habitat, at the Under-Secretary-General level, for a term of office of four years beginning on 1 September 2002 and ending on 31 August 2006.

Accordingly, may I take it that the General Assembly wishes to elect Ms. Anna Kajumulo Tibaijuka as Executive Director of the United Nations Human Settlements Programme for a four-year term of office beginning on 1 September 2002 and ending on 31 August 2006?

It was so decided.

The Acting President (*spoke in Spanish*): I call on the representative of the United Republic of Tanzania.

Mr. Yussuf (United Republic of Tanzania): We would like to take this opportunity to express our sincere thanks to the General Assembly for electing Ms. Anna Kajumulo Tibaijuka as the Executive Director of the United Nations Human Settlements Programme (UN-Habitat), at the level of Under-Secretary-General for a term of four years beginning on 1 September 2002.

It is our ardent hope that the General Assembly will continue to provide Ms. Kajumulo Tibaijuka with every assistance and support possible to ensure the effective implementation of all the mandated programmes and activities of the United Nations Habitat Programme.

The Acting President (*spoke in Spanish*): I call on the representative of Kenya.

Mr. Kahende (Kenya): The delegation of Kenya is also taking the floor to congratulate Ms. Anna Kajumulo Tibaijuka on her election as Executive Director of the United Nations Human Settlements Programme (UN-Habitat).

Kenya, as the host of UN-Habitat, has noted the excellent manner in which Ms. Kajumulo Tibaijuka has been handling her work. The recent elevation of UN-Habitat to the status of programme is proof both of Ms. Kajumulo Tibaijuka's ability and of the importance attached to the work of UN-Habitat. My delegation takes this opportunity as the host of that organization to pledge continuing support both to UN-Habitat and to Ms. Kajumulo Tibaijuka.

The Acting President (*spoke in Spanish*): We have thus concluded this stage of our consideration of agenda item 102.

Agenda item 8 (*continued*)

Adoption of the agenda and organization of work

(a) Draft resolution (A/56/L.82)

(b) Draft decision (A/56/L.83)

The President (*spoke in Spanish*): Members will recall at its 3rd plenary meeting, held on 19 September 2001, the General Assembly decided to allocate sub-item (b) of agenda item 119 to the Third Committee. Members will also recall that the sub-item remains open for consideration during the fifty-sixth session.

As mentioned in the footnotes to documents A/56/L.82 and A/56/L.83, in order for the General Assembly to take action on the proposals contained in those documents, the Assembly will have to decided to consider the sub-item directly in plenary meeting.

May I take it that the Assembly wishes to consider sub-item (b) of agenda item 119 directly in plenary meeting?

It was so decided.

The Acting President (*spoke in Spanish*): May I further take it that the Assembly agrees to proceed immediately to the consideration of sub-item (b) of agenda item 119?

It was so decided.

Agenda item 119 (*continued*)

Human rights questions

(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Draft resolution (A/56/L.82)

Draft decision (A/56/L.83)

The Acting President (*spoke in Spanish*): I now give the floor to the representative of Denmark to introduce draft resolution A/56/L.82.

Ms. Løj (Denmark): On behalf of the European Union, I have the honour to introduce the draft resolution sponsored by the European Union and Mexico, entitled "Accreditation and participation of non-governmental organizations in the Ad Hoc Committee on a Comprehensive and Integral International Convention on Protection and Promotion of the Rights and Dignity of Persons with Disabilities". The draft resolution is contained in document A/56/L.82.

I am pleased to inform the Assembly that, in addition to the countries mentioned in the document, Canada, Croatia, Italy, Japan, Luxembourg, and Suriname would also like to join the list of sponsors.

The draft resolution before us reflects the outcome of constructive open-ended consultations with all delegations. I would like to express my gratitude to all those delegations that took an active part in the shaping of this draft resolution.

The sponsors would like to underline the importance and necessity of the participation of non-governmental organizations in the Ad Hoc Committee. It is the hope of the sponsors that this draft resolution can facilitate the accreditation process and participation of the non-governmental organizations in the future sessions of this Ad Hoc Committee.

It is the hope of the sponsors of this draft resolution that the present text will be adopted by consensus.

The Acting President (*spoke in Spanish*): I now give the floor to the Deputy Minister for Foreign Affairs of Mexico.

Ms. Olamendi Torres (Mexico) (*spoke in Spanish*): We are very pleased to be joining the European Union in sponsoring draft resolution A/56/L.82, which has also been sponsored by a number of other countries. I wish to say that, for Mexico, the accreditation and participation of non-governmental organizations in the Ad Hoc Committee on a Comprehensive and Integral International Convention on Protection and Promotion of the Rights and Dignity of Persons with Disabilities will without doubt be a great achievement of the Assembly. As we have stressed, the draft resolution now before the Assembly is very important because it confirms that non-governmental organizations enjoying consultative status with the Economic and Social Council have a right to participate in the work of the Ad Hoc Committee. The draft resolution also facilitates participation by other organizations.

Also, the draft resolution urges relevant United Nations bodies to provide financial assistance to those organizations that lack the resources necessary to participate, in particular those from developing countries, on the basis of the establishment of criteria for transparency and equality in the allocation of such assistance.

As well, the Secretary-General is requested to disseminate to non-governmental organizations information on accreditation procedures. The Assembly would also decide that the specific modalities of this participation will be decided by the Ad Hoc Committee during the first week of its session.

Non-governmental organizations working in favour of rights and equal opportunities for persons with disabilities and organizations composed of persons with disabilities have played an essential role in promoting and creating awareness on this important issue. Through their local, national, regional and global networks, they have made very valuable contributions to the international community in many areas related to the defence and promotion of the rights of persons with disabilities. Their contribution is indispensable, because we want the convention to provide viable responses to meet the situation and the needs of persons with various kinds of disabilities, whose circumstances may vary from country to country or region to region.

For that reason, and because the convention should have a comprehensive and integral approach,

and pursuant to General Assembly resolution 56/168, the Ad Hoc Committee must have as many views of the issue as possible.

Accordingly, my country would invite all General Assembly members to adopt the draft resolution before us. We believe that the process that will begin in a few days to prepare a convention will be further enriched. Above all, we will be able to include those actors who ultimately are the ones who will benefit most from what will, no doubt, be the successful outcome of the Ad Hoc Committee's work.

The Acting President (*spoke in Spanish*): I give the floor to the representative of the United States to introduce draft decision A/56/L.83.

Mr. Rabby (United States of America): In response to a generous request by Mexico and Canada, the United States, as an additional main sponsor of draft decision A/56/L.83, is pleased to introduce that draft decision, entitled "Participation of persons with disabilities in the Ad Hoc Committee on a Comprehensive and Integral International Convention on Protection and Promotion of the Rights and Dignity of Persons with Disabilities". By this draft decision, the General Assembly would request the Secretary-General to make reasonable efforts, within existing resources, to facilitate the full and equal participation in the deliberations of the Ad Hoc Committee by persons with disabilities and would suggest various ways by which people with disabilities might be accommodated during the sessions of the Committee.

The Ad Hoc Committee will be considering proposals for an international convention to protect and promote the rights and dignity of persons with disabilities. It is important to recognize that talk of equal rights and opportunities for the disabled and their full participation in society is meaningless unless the international community is willing, at the same time, to adopt a flexible approach to its "normal" practices and to make the reasonable accommodations necessary to enable people with disabilities to actually play their part and make their contribution. Many people with disabilities either require very little, if anything, in the way of accommodation, or make whatever special arrangements they need themselves. However, some severely disabled persons may require special arrangements and, in their case, we should do our utmost to be as receptive and inclusive as possible so that they may be full and equal partners in our work.

Therefore, although this draft decision may at first glance seem procedural in nature, it is in a very real sense substantive and particularly germane to the work of the Ad Hoc Committee. It is our hope that whatever reasonable efforts are made to accommodate persons with disabilities in the meetings of the Ad Hoc Committee will soon be adopted routinely at all United Nations meetings.

The United States is grateful to Mexico and Canada for sponsoring this draft decision and for having immediately embraced its objectives and approach. Since the submission of the draft decision to the Secretariat, the following States have added their names to the list of sponsors: Austria, Belgium, Croatia, Denmark, Egypt, Finland, France, Germany, Greece, Ireland, Italy, Luxembourg, the Netherlands, Portugal, Spain, the Sudan, Sweden the United Kingdom and my own country, the United States.

The Acting President (*spoke in Spanish*): We shall now proceed to consider draft resolution A/56/L.82 and draft decision A/56/L.83.

I now give the floor to the representative of the Secretariat.

Ms. Kam: I should like to inform members of the Assembly that the adoption of draft decision A/56/L.83 will have no programme budget implications, on the understanding that persons with disabilities wishing to participate in the Ad Hoc Committee on a Comprehensive and Integral International Convention on Protection and Promotion of the Rights and Dignity of Persons with Disabilities inform the Secretariat of their intention to participate sufficiently well in advance so as to enable the Secretariat to inform those participants of the special services that are currently available and that could be provided to them during the meetings of the Ad Hoc Committee.

The Acting President (*spoke in Spanish*): I give the floor to the representative of Egypt.

Mr. Roshdy (Egypt): My delegation joined others in the informal consultations leading to the current formulation of draft resolution A/56/L.82. We were keen to attend as many meetings as possible since the process began, because we attach great importance to the issue of disability and the rights of people living with disabilities.

My delegation, as well as many others, presented many amendments to the draft resolution that is before

us for consi
deration. Unfortunately, most of them were
not reflecte
d in the draft resolution. I would hesitate to
say that th
y were ignored, but that is a fact. And I
would like
to register our strongest objection to the
process th
it led to the formulation of this draft
resolution.

We n
ow have two options between which to
choose: eit
er to accept it as it is and have this repeated
as a preced
ent in the future; or to put it to the vote. It
would not
e a very good omen to start the process by
taking a vo
e. We are very committed to and supportive
of this proc
ess.

Not e
verybody in this building who is trying to
regulate
non-governmental organization (NGO)
participati
on is against NGO participation in the work
of the Uni
ted Nations. Not everybody who is proposing
a framew
rk or trying to make clear what NGOs are
coming h
ere to do is against NGOs. Even if some
parties w
uld like to label it that way, it is not our
concern,
because we know that we are not against
NGO part
icipation.

But
we will not block consensus on the draft
resolution
. Those are the instructions that I have in the
light of t
e friendly relations between my country and
Mexico,
a friendly country that has devoted a lot of
time and
energy to this process for the past year. To
show app
reciation for the Mexican efforts, we will join
consensu
s on draft resolution A/56/L.82. However, we
would lik
e this statement to be recorded in the official
records o
f the meeting. The process can now begin. We
will see i
n the course of action who was really attached
to the pr
ocess and who was not, and who wanted to
destroy i
procedurally.

The Acting President (*spoke in Spanish*): The Assembly will first take a decision on draft resolution A/56/L.82, entitled "Accreditation and participation of non-governmental organizations in the Ad Hoc Committee on a Comprehensive and Integral International Convention on Protection and Promotion of the Rights and Dignity of Persons with Disabilities".

May I take it that the Assembly wishes to adopt the draft resolution?

Draft resolution A/56/L.82 was adopted (resolution 56/510).

The Acting President (*spoke in Spanish*): The Assembly will now take a decision on draft decision A/56/L.83, entitled "Participation of persons with disabilities in the Ad Hoc Committee on a Comprehensive and Integral International Convention on Protection and Promotion of the Rights and Dignity of Persons with Disabilities".

May I take it that the Assembly wishes to adopt the draft decision?

The draft decision was adopted.

The Acting President (*spoke in Spanish*): We have thus concluded this stage of our consideration of sub-item (b) of agenda item 119.

The meeting rose at 3.50 p.m.